

FEB 12 2007

Attorney Docket No.: Enz-56(D4)(C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dakai Liu and Elazar Rabbani.

Serial No.: 09/046,833

Group Art Unit: 1636

Filed: March 24, 1998

Examiner: David Guzo, Ph.D.

For: **INDEPENDENT HELPER VIRUS PACKAGING
CELL LINE FOR PACKAGING VIRAL VECTORS**

Confirmation No.:

CERTIFICATE OF FACSIMILE TRANSMISSIONCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

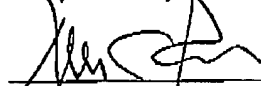
I hereby certify that the attached correspondence (total of 21 pages
including this sheet) comprising:

Communication

(Directed To August 19, 2005 Petition For Revival Of An Application For Patent Abandoned Unintentionally
Under 37 CFR 1.137(b) & Amendment Under 37 C.F.R. §1.115)
with Exhibits A & B

was sent to the United States Patent and Trademark Office by telefax to (571)
273-8300.

Respectfully submitted,



Ronald C. Fedus

Reg. No. 32,567

Attorney for Applicants

Date: February 12, 2007

Enzo Therapeutics, Inc.
c/o Enzo Biochem, Inc.
527 Madison Avenue, 9th Floor
New York, NY 10022-4304
Telephone (212) 583-0100
Facsimile (212) 583-0150

Enz-56(D4)(C)

FEB 12 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dakai Liu and Elazar Rabbani)
Serial No. 09/046,833)
Filed: March 24, 1998)
Title: INDEPENDENT HELPER VIRUS PACKAGING)
CELL LINE FOR PACKAGING VIRAL VECTORS)
(As Previously Amended))

Group Art Unit: 1636

Examiner: David Guzo, Ph.D.

527 Madison Avenue, 9th Floor
New York, NY 10022-4304
February 12, 2007

FILED VIA FACSIMILE TRANSMISSION
TO: 571-273-8300

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION**(DIRECTED TO AUGUST 19, 2005 PETITION & AMENDMENT UNDER 37 C.F.R. §1.115)**

Dear Sirs:

This Communication is directed to Applicants' August 19, 2005 Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. §1.137(b) and their Amendment Under 37 C.F.R. §1.115, the latter having been filed in response to the January 29, 2004 Office Action issued in the above-identified application. No extension request or fee is believed due in connection with this Communication, the purpose of which is to check on the status of Applicants' August 19, 2005 filing.

Enz-56(D4)(C)

FEB. 12. 2007 5:54PM

ENZO BIOCHEM

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NO. 1536 P. 3

Dakai Liu and Elazar Rabbani

Serial No. 09/046,833

Filed: March 24, 1998

Page 2 [Communication (Directed To August 19, 2005 Petition & Amendment
Under 37 C.F.R. §1.115) – February 12, 2007]

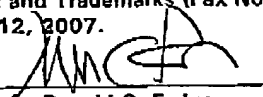
FEB 12 2007

CERTIFICATE OF TRANSMISSION

I hereby certify that this paper Communication (Directed To August 19, 2005 Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. §1.137(b) And Amendment Under 37 C.F.R. §1.115) (along with any documents referred to as attached or enclosed) is being facsimile transmitted to the United States Patent and Trademarks (Fax No. 571-273-8300) on February 12, 2007.

FEB 12 2007

Date



Ronald C. Fedus
Reg. No. 32,567

REMARKS

As indicated on the first page of this Communication, Applicants filed on August 19, 2005 by facsimile transmission a Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. §1.137(b) and an Amendment Under 37 C.F.R. §1.115 (In Response To The January 29, 2004 Office Action). A copy of their August 19, 2005 filing is provided as Exhibit A. Included in Exhibit A is a copy of two receipts, the first being the USPTO's Auto-Reply Facsimile Transmission and the second being the Assignee's fax machine generated Communication Result Report. Both receipts show delivery of 21 pages to the USPTO.

A check this date on the Private PAIR for this application shows that the last entry for this application is dated October 24, 2005 ("Correspondence Address Change"). A copy of the Transaction History from the Private PAIR for this application is also provided as Exhibit B.

Enz-56(D4)(C)

Dakai Liu and Elazar Rabbani

Serial No. 09/046,833

Filed: March 24, 1998

Page 3 [Communication (Directed To August 19, 2005 Petition & Amendment
Under 37 C.F.R. §1.115) – February 12, 2007]

In light of the evidence presented in Exhibits A and B, Applicants respectfully request prompt processing of their August 19, 2005 filing so that examination of their application can be once again undertaken.

No fee or fees are believed due in connection with this Communication. In the event that any fee or fees are due, however, The Patent and Trademark Office is hereby authorized to charge the amount of any such fee(s) to Deposit Account No. 05-1135, or to credit any overpayment thereto.

Should it be helpful to the processing of this Communication or Applicants' August 19, 2005 filing, the undersigned may be reached at (212) 583-0100 to discuss the subject application.

Respectfully submitted,



Ronald C. Fedus
Registration No. 32,567
Attorney for Applicants

ENZO THERAPEUTICS, INC.
c/o Enzo Biochem, Inc.
527 Madison Avenue, 9th Floor
New York, New York 10017
Tel.: (212) 583-0100
Fax.: (212) 583-0150

Enz-56(D4)(C)

Dakai Liu & Elazar Rabbani, Serial No. 09/046,833 (Filed March 24, 1998)
Exhibit A [To Communication (Directed To August 19, 2005 Petition & Amendment
Under 37 C.F.R. §1.115) -- February 12, 2007]

EXHIBIT A

Enz-56(D4)(C)

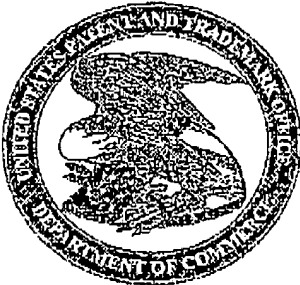
8/19/2005 2:57 PM PAGE 1/001 Fax Server
 8/19/2005 2:57 PM COMPANY:

USPTO

no-reply fax to 2125830150

Auto-Reply Facsimile Transmission

COPY



TO:

Fax Sender at 2125830150

Fax Information
 Date Received:
 Total Pages:

8/19/2005 2:47:23 PM [Eastern Daylight Time]
 21 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPE) section 306 et seq.

Received
 Cover
 Page

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AUG. 19. 2005 2:43PM ENZO BIOCHEM 1.2.6334

Attorney Docket No.: Ena-56(D4)(C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dekai Liu and Elazar Rabbani.
 Serial No.: 09/046,833 Group Art Unit 1636
 Filed: March 24, 1998 Examiner: David Guzo, Ph.D.
 For: INDEPENDENT HELPER VIRUS PACKAGING
 CELL LINE FOR PACKAGING VIRAL VECTORS

Confirmation No.:
CERTIFICATE OF FACSIMILE TRANSMISSION

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence (total of 21 pages including this sheet) comprising:
 Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b); and
 Amendment Under 37 C.F.R. §1.115 (In Response To The January 29, 2004 Office Action)

was sent to the United States Patent and Trademark Office by telefax to (571) 273-8200.

Date: August 19, 2005

Respectfully submitted,

 Ronald C. Pedus
 Reg. No. 52,587
 Attorney for Applicants

Enzo Therapeutics, Inc.
 c/o Enzo Biochem, Inc.
 627 Madison Avenue, 9th Floor
 New York, NY 10022-4304
 Telephone (212) 583-0100
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Ena-56(D4)(C)

PAGE 021 * RCVD AT 8/19/2005 2:47:23 PM [Eastern Daylight Time] * SVR:USPTO-EFAXF-023 * DNIS:2738300 * CSID:2125830150 * DURATION (mm:ss):04:44

* * * COMMUNICATION RESULT REPORT (AUG. 19. 2005 2:53PM) * * *

FAX HEADER 1: ENZO BIOCHEM
FAX HEADER 2:TRANSMITTED/STORED : AUG. 19. 2005 2:48PM
FILE MODE OPTION

FILE MODE	OPTION	ADDRESS	RESULT	PAGE
6334 MEMORY TX		G3 : USPTO	OK	21/21

REASON FOR ERROR OR LINE FAIL
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWER
E-5) MAIL SIZE OVERE-2) BUSY
E-2) NO FACSIMILE CONNECTION

Attorney Docket No.: Enz-56(D4)(C)

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CERTIFICATE OF FACSIMILE TRANSMISSIONCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

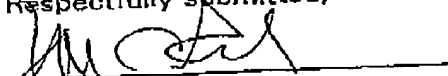
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Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b); and

Amendment Under 37 C.F.R. §1.115 (In Response To The January 29, 2004 Office Action)

was sent to the United States Patent and Trademark Office by telefax to (571) 273-8300.

Respectfully submitted,


Ronald C. Fedus
Reg. No. 32,567
Attorney for Applicants

Date: August 19, 2005

Enzo Therapeutics, Inc.
c/o Enzo Biochem, Inc.
527 Madison Avenue, 9th Floor
New York, NY 10022-4304
Telephone (212) 583-0100
Facsimile (212) 583-0150

Enz-56(D4)(C)

FEB. 12. 2007 5:55PM

ENZO BIOCHEM

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NO. 1536 P. 8

FEB 12 2007

Attorney Docket No.: Enz-56(D4)(C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dakai Liu and Elazar Rabbani.

Serial No.: 09/046,833

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P.O. Box 1450
Alexandria, VA 22313-1450

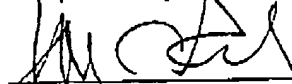
Sir:

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was sent to the United States Patent and Trademark Office by telefax to (571)
273-8300.

Respectfully submitted,



Date: August 19, 2005

Ronald C. Fedus
Reg. No. 32,567
Attorney for Applicants

Enzo Therapeutics, Inc.
c/o Enzo Biochem, Inc.
527 Madison Avenue, 9th Floor
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Enz-56(D4)(C)

FEB 12 2007

PTO/SB/64 (07-05)

Approved for use through 07/31/2005. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

Enz-56(D4)(C)

First named inventor: Liu et al.

Application No.: 09/046,833

Art Unit: 1636

Filed: March 24, 1998

Examiner: David Guzo

Title: INDEPENDENT HELPER VIRUS PACKAGING CELL LINE FOR PACKAGING VIRAL VECTORS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in
the form of an Amendment (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ _____

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (07-05)

Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

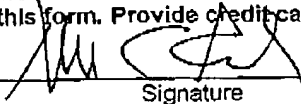
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

August 19, 2005

Date

Ronald C. Fedus

Typed or printed name

32,567

Registration Number, if applicable

Enzo Therapeutics, Inc.

Address

212-683-0100

Telephone Number

527 Madison Avenue, 9th Floor, New York, NY 10022

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____

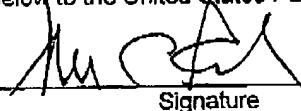
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

August 19, 2005

Date


Signature

Ronald C. Fedus

Typed or printed name of person signing certificate